

## Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

| Input Field                                 | Entered   |
|---|---|
| <b>REGISTRATION NUMBER</b>                  | 4158457   |
| <b>REGISTRATION DATE</b>                    | 06/12/2012  |
| <b>SERIAL NUMBER</b>                        | 85129882  |
| <b>MARK SECTION</b>                         |   |
| <b>MARK</b>                                 | READY NOW (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85129882/large">https://tmng-al.uspto.gov/resting2/api/img/85129882/large</a> ) |
| <b>ATTORNEY SECTION (current)</b>           |   |
| <b>NAME</b>                                 | Douglas A. Miro   |
| <b>FIRM NAME</b>                            | OSTROLENK FABER LLP   |
| <b>STREET</b>                               | 1180 AVENUE OF THE AMERICAS FL 7  |
| <b>CITY</b>                                 | NEW YORK  |
| <b>STATE</b>                                | New York  |
| <b>POSTAL CODE</b>                          | 10036-8403  |
| <b>COUNTRY</b>                              | United States   |
| <b>PHONE</b>                                | 212-382-0700  |
| <b>FAX</b>                                  | 212-382-0888  |
| <b>DOCKET/REFERENCE NUMBER</b>              | T/5640-2 V16  |
| <b>ATTORNEY SECTION (proposed)</b>          |   |
| <b>NAME</b>                                 | Douglas A. Miro   |
| <b>FIRM NAME</b>                            | OSTROLENK FABER LLP   |
| <b>STREET</b>                               | 1180 AVENUE OF THE AMERICAS FL 7  |
| <b>CITY</b>                                 | NEW YORK  |
| <b>STATE</b>                                | New York  |
| <b>POSTAL CODE</b>                          | 10036-8403  |
| <b>COUNTRY</b>                              | United States   |
| <b>PHONE</b>                                | 212-382-0700  |
| <b>FAX</b>                                  | 212-382-0888  |
| <b>EMAIL</b>                                | tm@ostrolenk.com  |
| <b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b> | Yes   |
| <b>DOCKET/REFERENCE NUMBER</b>              | T/5640-2  |
| <b>CORRESPONDENCE SECTION (current)</b>     |   |
|   |   |

|  |  |
|--|--|
| NAME                                     | DOUGLAS A. MIRO  |
| FIRM NAME                                | OSTROLENK FABER LLP  |
| STREET                                   | 1180 AVENUE OF THE AMERICAS FL 7   |
| CITY                                     | NEW YORK   |
| STATE                                    | New York   |
| POSTAL CODE                              | 10036-8403   |
| COUNTRY                                  | United States  |
| PHONE                                    | 212-382-0700   |
| FAX                                      | 212-382-0888   |
| DOCKET/REFERENCE NUMBER                  | T/5640-2 V16   |
| <b>CORRESPONDENCE SECTION (proposed)</b> |  |
| NAME                                     | DOUGLAS A. MIRO  |
| FIRM NAME                                | OSTROLENK FABER LLP  |
| STREET                                   | 1180 AVENUE OF THE AMERICAS FL 7   |
| CITY                                     | NEW YORK   |
| STATE                                    | New York   |
| POSTAL CODE                              | 10036-8403   |
| COUNTRY                                  | United States  |
| PHONE                                    | 212-382-0700   |
| FAX                                      | 212-382-0888   |
| EMAIL                                    | tm@ostrolenk.com   |
| AUTHORIZED TO COMMUNICATE VIA E-MAIL     | Yes  |
| DOCKET/REFERENCE NUMBER                  | T/5640-2   |
| <b>GOODS AND/OR SERVICES SECTION</b>     |  |
| INTERNATIONAL CLASS                      | 005  |
| GOODS OR SERVICES                        | <p>First aid kits; emergency preparedness kits comprising first aid kits and first aid supplies, namely, adhesive bandages, gauze, medical adhesive tape, medications, cotton, hemostatic agents, gloves, CPR aids, wound cleansers, animal sting and bite relief preparations, scissors, tweezers, thermometers, cold packs, oxygen supplies, and splints, food rations, namely, food bars, nutrition bars, water, fruit drinks and electrolyte replacements, emergency shelter supplies, namely, plastic sheeting, adhesive tape, rope, storage containers, electricity generator, batteries, and emergency toilets, survival supplies, namely, water purification units, fire starters, hand tools, emergency lights, radios and signaling devices; auto safety kits comprising first aid kits, first aid supplies, vehicle repair tools and supplies, namely, hand operated screwdrivers, wrenches, hose tape, jumper cables, fuses, flashlight, air compressors, tire sealant, tie straps and safety supplies, namely, reflective vest, warning flags, light reflectors, emergency warning devices, emergency lights, flares; bicycle safety kits comprising first aid kits, bicycle repair tools and supplies, namely, hand operated screwdrivers, wrenches, tire repair tools and patches; children's travel kits comprising first aid kits, soap, disinfectants, towelettes, toys, games, books, crayons; pet travel kits comprising animal first aid kits, first aid supplies, namely, adhesive bandages, gauze, medical adhesive tape, medications, hemostatic</p> |

|   |  |
|---|--|
|   | agents, wound cleansers, splints, cleaning preparations, seat cover and floor mat, leash, restraint for vehicle seats, vest, collar  |
| SPECIMEN FILE NAME(S)                   | <a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\851\298\85129882\xml1\8150002.JPG</a>   |
|   | <a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\851\298\85129882\xml1\8150003.JPG</a>   |
| SPECIMEN DESCRIPTION                    | photographs of product with labels   |
| INTERNATIONAL CLASS                     | 008  |
| GOODS OR SERVICES                       | Roadside emergency kits comprising vehicle repair tools and supplies, namely, hand operated screwdrivers, hand operated wrenches, hose tape, jumper cables, fuses, flashlight, tie straps, air compressors, tire sealant, and safety supplies, namely, reflective vest, warning flags, light reflectors, emergency warning devices, emergency lights, flares |
| SPECIMEN FILE NAME(S)                   | <a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\851\298\85129882\xml1\8150004.JPG</a>   |
|   | <a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\851\298\85129882\xml1\8150005.JPG</a>   |
|   | <a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\851\298\85129882\xml1\8150006.JPG</a>   |
| SPECIMEN DESCRIPTION                    | photograph of products with labels   |
| <b>OWNER SECTION (current)</b>          |  |
| NAME                                    | DC Safety Sales Co., Inc.  |
| STREET                                  | 40 Commerce Drive  |
| CITY                                    | Hauppauge  |
| STATE                                   | New York   |
| ZIP/POSTAL CODE                         | 11788  |
| COUNTRY                                 | United States  |
| <b>LEGAL ENTITY SECTION (current)</b>   |  |
| TYPE                                    | corporation  |
| STATE/COUNTRY OF INCORPORATION          | Delaware   |
| <b>PAYMENT SECTION</b>                  |  |
| NUMBER OF CLASSES                       | 2  |
| NUMBER OF CLASSES PAID                  | 2  |
| COMBINED §§ 8 & 15 FILING FEE PER CLASS | 650  |
| TOTAL FEE PAID                          | 650  |
| <b>SIGNATURE SECTION</b>                |  |
| SIGNATURE                               | /DAM/  |
| SIGNATORY'S NAME                        | Douglas A. Miro  |
| SIGNATORY'S POSITION                    | Attorney for Applicant, Member New York State Bar  |
| DATE SIGNED                             | 06/30/2017   |
| SIGNATORY'S PHONE NUMBER                | 212-382-0700   |
|   |  |

|                           |   |
|---------------------------|---|
| <b>PAYMENT METHOD</b>     | CC  |
| <b>FILING INFORMATION</b> |   |
| <b>SUBMIT DATE</b>        | Fri Jun 30 10:13:17 EDT 2017  |
| <b>TEAS STAMP</b>         | USPTO/S08N15-XX.XXX.XXX.X<br>-20170630101317931459-415<br>8457-5907541fc86b0b56f6a3<br>fc8847d976a6b6886d84b7409<br>5f138a0547ed97f1272-CC-10<br>841-20170630101045657794 |

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## Combined Declaration of Use and Incontestability under Sections 8 & 15

### To the Commissioner for Trademarks:

**REGISTRATION NUMBER:** 4158457

**REGISTRATION DATE:** 06/12/2012

**MARK:** (Stylized and/or with Design, READY NOW (see, [mark](#)))

The owner, DC Safety Sales Co., Inc., a corporation of Delaware, having an address of  
40 Commerce Drive  
Hauppauge, New York 11788  
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 005, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: First aid kits; emergency preparedness kits comprising first aid kits and first aid supplies, namely, adhesive bandages, gauze, medical adhesive tape, medications, cotton, hemostatic agents, gloves, CPR aids, wound cleansers, animal sting and bite relief preparations, scissors, tweezers, thermometers, cold packs, oxygen supplies, and splints, food rations, namely, food bars, nutrition bars, water, fruit drinks and electrolyte replacements, emergency shelter supplies, namely, plastic sheeting, adhesive tape, rope, storage containers, electricity generator, batteries, and emergency toilets, survival supplies, namely, water purification units, fire starters, hand tools, emergency lights, radios and signaling devices; auto safety kits comprising first aid kits, first aid supplies, vehicle repair tools and supplies, namely, hand operated screwdrivers, wrenches, hose tape, jumper cables, fuses, flashlight, air compressors, tire sealant, tie straps and safety supplies, namely, reflective vest, warning flags, light reflectors, emergency warning devices, emergency lights, flares; bicycle safety kits comprising first aid kits, bicycle repair tools and supplies, namely, hand operated screwdrivers, wrenches, tire repair tools and patches; children's travel kits comprising first aid kits, soap, disinfectants, towelettes, toys, games, books, crayons; pet travel kits comprising animal first aid kits, first aid supplies, namely, adhesive bandages, gauze, medical adhesive tape, medications, hemostatic agents, wound cleansers, splints, cleaning preparations, seat cover and floor mat, leash, restraint for vehicle seats, vest, collar; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photographs of product with labels.

[Specimen File1](#)

[Specimen File2](#)

For International Class 008, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Roadside emergency kits comprising vehicle repair tools and supplies, namely, hand operated screwdrivers, hand operated wrenches, hose tape, jumper cables, fuses, flashlight, tie straps, air compressors, tire sealant, and safety supplies, namely, reflective vest, warning flags, light reflectors, emergency warning devices, emergency lights, flares; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photograph of products with labels.

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

The registrant's current Attorney Information: Douglas A. Miro of OSTROLENK FABER LLP  
1180 AVENUE OF THE AMERICAS FL 7  
NEW YORK, New York 10036-8403  
United States  
The phone number is 212-382-0700.  
The fax number is 212-382-0888. (not authorized)  
The docket/reference number is T/5640-2 V16.

The registrant's proposed Attorney Information: Douglas A. Miro of OSTROLENK FABER LLP  
1180 AVENUE OF THE AMERICAS FL 7  
NEW YORK, New York 10036-8403  
United States The docket/reference number is T/5640-2.

The phone number is 212-382-0700.

The fax number is 212-382-0888.

The email address is tm@ostrolenk.com. (authorized)

The registrant's current Correspondence Information: DOUGLAS A. MIRO of OSTROLENK FABER LLP  
1180 AVENUE OF THE AMERICAS FL 7  
NEW YORK, New York 10036-8403  
United States

The phone number is 212-382-0700.

The fax number is 212-382-0888. (not authorized)

The docket/reference number is T/5640-2 V16.

The registrant's proposed Correspondence Information: DOUGLAS A. MIRO of OSTROLENK FABER LLP  
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NEW YORK, New York 10036-8403  
United States The docket/reference number is T/5640-2.

The phone number is 212-382-0700.

The fax number is 212-382-0888.

The email address is tm@ostrolenk.com. (authorized)

A fee payment in the amount of \$650 will be submitted with the form, representing payment for 2 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

- ☒ Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
- ☒ Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
- ☒ The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under 15 U.S.C. § 1062(c), and is still in use in commerce on or in connection with all goods/services, or to indicate membership in the collective membership organization, listed in the existing registration.
- ☒ There has been no final decision adverse to the owner's claim of ownership of such mark for such goods/services, or to indicate membership in the collective membership organization, or to the owner's right to register the same or to keep the same on the register.
- ☒ There is no proceeding involving said rights pending and not finally disposed of either in the United States Patent and Trademark Office or in a court.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /DAM/ Date: 06/30/2017

Signatory's Name: Douglas A. Miro

Signatory's Position: Attorney for Applicant, Member New York State Bar

Signatory's Phone: 212-382-0700

**Mailing Address (current):**

OSTROLENK FABER LLP  
1180 AVENUE OF THE AMERICAS FL 7  
NEW YORK, New York 10036-8403

**Mailing Address (proposed):**

OSTROLENK FABER LLP  
1180 AVENUE OF THE AMERICAS FL 7  
NEW YORK, New York 10036-8403

Serial Number: 85129882

Internet Transmission Date: Fri Jun 30 10:13:17 EDT 2017

TEAS Stamp: USPTO/S08N15-XX.XXX.XXX.X-20170630101317

931459-4158457-5907541fc86b0b56f6a3fc884

7d976a6b6886d84b74095f138a0547ed97f1272-

CC-10841-20170630101045657794













**ROUTING SHEET TO POST REGISTRATION (PRU)****Registration Number:** 4158457**Serial Number:** 85129882**RAM Sale Number:** 4158457**RAM Accounting Date:** 20170630**Total Fees:** \$650

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

| <u>Transaction</u> | <u>Fee<br/>Code</u> | <u>Transaction<br/>Date</u> | <u>Fee per<br/>Class</u> | <u>Number<br/>of Classes</u> | <u>Number of<br/>Classes Paid</u> | <u>Total<br/>Fee</u> |
|--------------------|---------------------|-----------------------------|--------------------------|------------------------------|-----------------------------------|----------------------|
| §8 affidavit       | 7205                | 20170630                    | \$125                    | 2                            | 2                                 | \$250                |
| §15 affidavit      | 7208                | 20170630                    | \$200                    | 2                            | 2                                 | \$400                |

Physical Location: MADCD- ALEX. CENTRAL DOCKET

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20170630